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Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-seventh year

Identical letters dated 8 October 2012 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I regret to inform you that Israel, the occupying Power, is continuing its military campaign against the Palestinian people in the besieged Gaza Strip, in grave breach of international law, including international humanitarian law and the relevant provisions regarding the protection of civilians in armed conflict and the prohibition of reprisals and collective punishment against the civilian population under occupation. The intensification of Israel's aggression against the Gaza Strip threatens to further destabilize the situation on the ground and to fully ignite yet another round of deadly violence. This demands the attention of the international community, particularly of the Security Council, which is duty-bound to act to maintain international peace and security.

On Sunday, 7 October 2012, Israel, the occupying Power, unleashed a new round of deadly violence and terror against the Palestinian people in the besieged Gaza Strip. In this regard, the occupying Power launched a series of military strikes, including extrajudicial killings, i.e., targeted assassination, and military assaults against civilians and civilian areas, causing death and widespread destruction. These barbaric attacks by the occupying Power resulted in the death of Abdallah Hassan Makkawi, 24 years of age, who was deliberately targeted as he rode on his motorcycle in Rafah, as well as caused injury to more than 15 civilians, including 5 children, many of whom remain in serious condition. Today, Israel fired several artillery shells at the Qarara and Khuazaa areas east of Khan Younis in the southern Gaza Strip, injuring five Palestinian civilians.

Moreover, since our last letter, dated 6 September 2012, Israeli settlers have further escalated their campaign of terror against Palestinian civilians and their towns and villages across the occupied West Bank, including East Jerusalem. While the occupying Power employs its military might to sow death and destruction among Palestinians, its support for and incitement of the escalating terrorist attacks and intimidation by armed Israeli settler militias against Palestinian civilians also continue. In this regard, acts of violence, provocation and terror continue to be

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perpetrated by Israeli settlers against Palestinian civilians and properties throughout the Occupied Palestinian Territory, including East Jerusalem, on a near daily basis, including the destruction of 100 newly planted olive saplings and at least 60 vine trees on private Palestinian land in Al-Khader village near Bethlehem and the burning of tens of olive trees in the village of Beitillu near Ramallah. In addition to the above, on 2 October 2012, Israeli settlers attacked and spray-painted anti-Christian graffiti over the Convent of St. Francis in Jerusalem.

On Friday, 5 October 2012, Israeli occupying forces stormed Al-Aqsa Mosque compound, firing stun grenades at Palestinian worshipers, after a group of settlers tried to enter the compound, causing injuries to several Palestinians. It should be recalled that during this year alone, more than 60 attacks were perpetrated by Israeli settlers and occupying forces against the sanctity of Christian and Muslim holy sites in the Occupied Palestinian Territory, including East Jerusalem.

The impunity of these extremist settlers is no doubt bolstered by the Israeli Government's failure and clear unwillingness to hold them accountable for the constant terror they are wreaking upon innocent Palestinian civilians. We reiterate that Israel, the occupying Power, is responsible for all of the crimes committed by the settlers it has transferred to the Occupied Palestinian Territory, including East Jerusalem, in grave breach of international humanitarian law. The international community must also act to uphold its legal responsibilities in this regard and take measures to hold Israel, the occupying Power, accountable, and compel it to stop such criminal and racist attacks on the Palestinian civilian population.

Furthermore, we reiterate our call to the international community, in particular to the Security Council, to uphold its responsibility for the maintenance of international peace and security and bring an immediate end to the occupying Power's latest round of Israeli military bombardment against the besieged Gaza Strip and to its illegal and immoral blockade there, as well as to reaffirm its rejection of all of Israel's criminal acts and illegal, violent and provocative actions taken against the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem.

The present letter is in follow-up to our previous 434 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 6 September 2012 (A/ES-10/562-S/2012/689), constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of this letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

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Agenda items 34, 39, 67, 83 and 121

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

The rule of law at the national and international levels

Cooperation between the United Nations and regional and other organizations

Security Council
Sixty-seventh year

Letter dated 5 October 2012 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I am writing in reference to the letter dated 26 September 2012 from the Permanent Representative of the Republic of Armenia (A/67/398-S/2012/725), which, in both form and content, presents a provocative and irresponsible attempt to respond to my letters of 20 July and 17 August 2012 (A/66/875-S/2012/573 and A/66/890-S/2012/661) regarding the illegal "presidential elections" held on 19 July 2012 in the occupied Daghlyq Garabagh (Nagorno-Karabakh) region of the Republic of Azerbaijan.

I would like to draw your attention to the fact that the letter from the Permanent Representative of Armenia has as its annex a statement made in the name of the unlawful separatist regime, which is ultimately nothing other than the product of aggression and racial discrimination and which has been set up by Armenia in the occupied territories of Azerbaijan at the cost of incalculable human lives and suffering. Such an attempt to mislead the international community and propagate the unlawful separatist regime once again clearly testifies to the unwillingness of Armenia to comply with the obligations incumbent upon it under the fundamental norms and principles of international law and to abide by universally recognized standards of civilized behaviour.

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Both the letter from the Permanent Representative of Armenia and the substance of its annex constitute yet another instance of the blatant falsification resorted to by the Armenian side in apparent contravention of the unanimous position of the international community with respect to the sovereignty and territorial integrity of Azerbaijan and the illegality of the separatist entity.

In that regard, it should be pertinent to reiterate that, in its resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993) adopted in response to the illegal use of force against Azerbaijan and the occupation of its territories, the Security Council reaffirmed both the sovereignty and territorial integrity of Azerbaijan and the inadmissibility of the use of force for the acquisition of territory. It has further stated that Daghlyq Garabagh is part of Azerbaijan and demanded the immediate, complete and unconditional withdrawal of occupying forces from all the occupied territories of Azerbaijan. The General Assembly and other international organizations have adopted a similar position.

Below are the most recent examples relating to some high-level international events that took place earlier this year and which demonstrated the consistent support by the international community of the sovereignty and territorial integrity of Azerbaijan.

The Heads of State and Government of the member countries of the North Atlantic Treaty Organization (NATO) expressed their great concern over the persistence of protracted regional conflicts, including in the South Caucasus, reaffirmed in that regard their commitment to the territorial integrity, independence, and sovereignty of the States in the region and stated that they "will ... continue to support efforts towards a peaceful settlement of these regional conflicts, based upon these principles and the norms of international law, the United Nations Charter, and the Helsinki Final Act" (Chicago Summit Declaration, 20 May 2012, para. 47).

The final communiqué of the fourth extraordinary session of the Islamic Summit Conference, held on 14 and 15 August 2012, condemned Armenia's aggression against Azerbaijan and called for Armenia's withdrawal from Azerbaijan's territories (para. 27). Later in 2012, the Ministers of Foreign Affairs of the member States of the Organization of Islamic Cooperation, in the final communiqué of their annual coordination meeting, held on 28 September 2012, "condemned the aggression of Armenia against Azerbaijan, reaffirmed that the acquisition of territory by force is inadmissible under the Charter of the United Nations and international law, and called for the resolution of the conflict on the basis of respect for the sovereignty, territorial integrity and inviolability of the internationally recognized borders of the Republic of Azerbaijan". The Group also expressed "its grave concern at the forced demographic changes, interference with property rights, inadequate protection of the cultural heritage and sacred sites in the Daghlyq Garabagh (Nagorno-Karabakh) region and other occupied territories of Azerbaijan and reaffirmed in this regard its principled support to the efforts of Azerbaijan, including within the United Nations General Assembly, aimed at ensuring respect for international humanitarian law and international human rights law in the occupied territories of Azerbaijan" (para. 36).

The Heads of State or Government of the Non-Aligned Movement, in the final document of the sixteenth summit, held from 26 to 31 August 2012, "expressed their regret that the conflict between Armenia and Azerbaijan remains unresolved and continues to endanger international and regional peace and security". They

"reaffirmed the importance of the principle of non-use of force enshrined in the Charter of the United Nations, and encouraged the parties to continue to seek a negotiated settlement of the conflict within the territorial integrity, sovereignty and the internationally recognized borders of the Republic of Azerbaijan" (para. 391).

It should be noted in particular that the President of Armenia refused to participate at the aforementioned summits of NATO and the Non-Aligned Movement only because of their position in regard to the conflict and the principles to be applied for its resolution.

The illegality of the separatist entity and its structures, established by Armenia in the occupied territory of Azerbaijan, has been repeatedly stated at the international level. The entity is entirely unrecognized as such; it is under Armenia's direction and control. The European Court of Human Rights has recently concluded that the separatist entity, referred to by Armenia as the "Nagorno-Karabakh Republic", "is not recognised as a State under international law by any countries or international organisations" and that, "against this background, the invoked laws cannot be considered legally valid" (*Elkhan Chiragov and Others v. Armenia*, European Court of Human Rights, decision of 14 December 2011, application No. 13216/05, para. 102). According to the information contained in my letter of 17 August 2012 (A/66/890-S/2012/661), the international organizations and individual States once again voiced their unequivocal protest against the aforementioned "elections" held on 19 July 2012 in the occupied Daghlyq Garabagh region of Azerbaijan, declared them null and void and reconfirmed their policy of non-recognition of the separatist entity.

We are confident that the policy of Armenia of the colonization and annexation of the occupied territories of Azerbaijan has no chance to succeed. The Daghlyq Garabagh region is an integral part of Azerbaijan, and Armenia will be obliged to completely withdraw its armed forces from that region and other occupied territories, to respect international law and to establish civilized relations with all countries of the region.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 34, 39, 67, 83 and 121, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative